



LAC LA BELLE MANAGEMENT DISTRICT

www.llbmd.org

Commissioners Meeting
THURSDAY, November 18, 2010 – 7 P.M.

Town of Oconomowoc Town Hall

6812 Brown Street
Oconomowoc, WI 53066

“The LLBMD seeks to promote environmentally conscious and fiscally responsible decisions by providing education, enhancing a healthy lake ecosystem and ensuring safe use of Lac LaBelle for today and tomorrow.”

Minutes

1. Call to Order

P. Carpenter called the meeting to order at 7:00 p.m.

2. Roll Call of Commissioners

Present

Paul Carpenter
Dave Falstad (entered 7:01 p.m./exited 8:40 p.m.)
Mike Fitzsimmons
Sally Keefe (exited 8:30 p.m.)
Lou Morgan (entered 7:21 p.m.)
Karen Carr

Absent

Brian Wiemer

3. Comments from the Floor

Lisa Conley, 518 Lac La Belle Drive – Informed the Commissioners that the updated SEWRPC Lac La Belle Lake Management Plan needs to be adopted by the three municipalities. A letter should be written to the municipalities informing them of the necessity for the update and adoption.

4. Correspondence

Emails

(Multiple dates) - Kathy Buss, City of Oconomowoc – regarding lake levels
8/11/10 – Lisa Conley – regarding News from Friends of Beaver Lake
8/13/10 – Kathy Buss, City of Oconomowoc – regarding Slow No Wake Status
8/13/10 – Brian Wiemer – regarding Blue Algae

8/16/10 – Sarah Toomsen, Yaggy Colby – regarding Lac La Belle Planning Grant Application
9/15/10 – Greg Kwasny – regarding LLB Shoreland Restoration Project
9/17/10 – Lisa Conley – regarding LLBMD Fishery & plants
9/17/10 – Julie Larsen – regarding LLBMD Fishery & plants
9/17/10 – Bob Wakeman – regarding LLBMD Fishery & plants
10/12/10 – Norm Eckstaedt regarding Management of the Oconomowoc River System
10/20/10 – Lisa Reas – regarding Larson Paid Invoice
11/5/10 – Lisa Conley – regarding LLB Fishing regs
11/5/10 – Jeff Bode, DNR – regarding LLB Fishing regs
11/8/10 – Susan Beyler, DNR – regarding LLB Fishing regs

5. Approval of Minutes

a. August 10, 2010

M. Fitzsimmons motioned to approve the minutes from the August 10, 2010 meeting as presented. D. Falstad seconded the motion. There was no further discussion. All were in favor. Motion carried.

b. September 2, 2010

D. Falstad motioned to approve the minutes from the September 2, 2010 meeting as presented. M. Fitzsimmons seconded the motion. There was no further discussion. All were in favor. Motion carried.

6. Review Draft of Annual Meeting Minutes

There were no comments or corrections.

7. Treasurer's Report

The report was distributed to the commissioners. M. Fitzsimmons reported that the cash balance is \$229,654.62.

It was reported that Matt Steinman is pleased with the shoreline restoration project and will provide his invoice to the District for payment under the Shoreline Restoration Grant provided by LLBMD. Lisa Reas will submit her invoice for consulting fees. It was reported that J. Larson had been paid for the shoreline restoration project that took place on her property.

D. Falstad motioned to approve the Treasurer's Report as presented. S. Keefe seconded the motion. There was no further discussion. All were in favor. Motion carried.

8. Payment Authorizations

D. Falstad motioned to approve the payment authorizations as presented. S. Keefe seconded the motion. There was no further discussion. All were in favor. Motion carried.

9. Discuss & Act on Management of the Oconomowoc River System in regards to Lac La Belle

Norm Eckstaedt, N61W38498 Nokoma Drive, was present representing the newly formed group called “Citizens for Responsible Lake Country Waterway Management”. The members of the group are residents primarily from the Blackhawk Area Sanitary District (on the northeastern side of the lake). For the past three years water levels on Lac La Belle (LLB) have been extraordinary. Over time, things such as water clarity, receding of water level, etc. have been changing on LLB. Because of high water, a “Slow No-Wake” order was placed on the lake for a period of three to four weeks this past summer. Many things have occurred over the years and procedures are in place to deal with them, but no monitoring or accountability takes place. In addition, there appears to be a lack of cooperation amongst the municipalities. The Town of Oconomowoc, Village of Lac La Belle, Village of Oconomowoc Lake, and the City of Oconomowoc were supposed to get together in August, but after the meeting with citizens never met again. The Citizens for Responsible Lake Country Management felt the information they are presenting was very important and work should take place to accomplish the points. The City of Oconomowoc told them that they were going to make sure that the lake level went down for the winter months, but it has not happened yet. N. Eckstaedt stated that they were present at this meeting because LLBMD represents LLB. Someone must bring the municipalities together. A document was emailed to the LLBMD on October 12 and is imbedded into this document (items in *italics*) in the order discussed:

Requests of Lac La Belle Management District

- I. *The Public Service Commission of Wisconsin and the Department of Natural Resources should review, validate and or modify these orders if necessary and they should put in place a system to monitor and be certain all items are adhered to per the 1945 and 1974 orders. These documents are as follows:*
 1. *Public Service Commission of Wisconsin 12-WP-625 , March 10, 1945*
and
 2. *State of Wisconsin/Department of Natural Resources #3530-7, June 18, 1974*

Note: *The Department of Natural Resources has already determined these orders are still valid and enforceable per DNR legal counsel.*

The group felt that the problem was not only with the lake, but upstream to the Oconomowoc River and downstream to the Rock River. A report by the Public Service Commission of Wisconsin & DNR (originally prepared in 1945 and 1974) specifically discussed how the dams should be managed. Currently, to the best of the group’s knowledge, dam management is not taking place. They did not feel they were being represented by the Town of Oconomowoc who controls the dam. N. Eckstaedt was not

convinced that the dam was being controlled in accordance with the documents as the dam does not fall within the guidelines of the document. Although the DNR affirmed that the document is valid, the Town of Oconomowoc does not think it is at this time.

- II. *Contact SEWRPC and/or Dale Shaver, Waukesha County Parks & Land Use, to research what the scope of a Flow Modeling Survey should be, what municipalities it should involve, the cost of the survey and how it would be funded.*

The Citizens for Responsible Lake Country Waterway Management felt that it was important to meet with SEWRPC and have a flow monitoring study of the system conducted. This would show how everything impacts LLB including new development in the area. He would like to find out how much a study like this would cost; discussion took place on obtaining a grant to fund the study and determination of municipalities that should share in the expense.

- III. *Identify properties on Okauchee, Oconomowoc Lake, Fowler, LacLaBelle and Upper Oconomowoc Lakes that are in the flood plain. (This can be done through information available from www.landusewaukeshacounty.gov). Once these properties are identified, lake levels and no wake lake levels should be evaluated to determine the impact water levels have on the properties and then re-establish new “slow no wake” levels for all the above listed lakes.*

“Slow No-Wake” limits were questioned and how upstream lakes respond to high water conditions was discussed. Properties in the flood plain should be identified.

- IV. *Request that the LacLaBelle lake level be lowered November 1st to allow for increased capacity in the spring.*

City of Oconomowoc Staff stated the lake level would be lowered by one foot on November 1, 2010. P. Carpenter replied that the lake water level is usually adjusted on an annual basis. N. Ecksteadt spoke with Dale Shaver from Waukesha County Director Park and Land Use who stated that Waukesha County’s groundwater is at its highest level. The land itself can’t absorb any more water. D. Shaver indicated he would advocate getting involved to see how they could help in conjunction with SEWRPC.

- V. *Request that the municipalities and lake management districts of:*
City of Oconomowoc
Village of Oconomowoc Lake
Village of LacLaBelle
Town of Oconomowoc
Town of Merton
LMD LacLaBelle, Fowler, Okauchee & Oconomowoc Lake

meet to discuss items I, II & III and resolve that they will comply with the orders in place in item I until modified by Public Service Commission of Wisconsin

The Citizens for Responsible Lake Country Waterway Management felt the above listed municipalities need to get together and that they cannot keep operating independently.

The five items listed above were deemed as the most important points in moving forward. Many things are contributing to the high water problems. The Commissioners were asked their opinion as to how the Citizens for Responsible Lake Country Waterway Management should move forward and if LLBMD felt comfortable embracing these things.

John Lesko, W384 N6087 Nokoma Drive, commented that this is a complex issue and that the Citizens for Responsible Lake Country Waterway Management are about moving forward. The ability is for all of the residents to enjoy the lakes. Flow studies need to be done. Short term issues cannot be ignored and cooperation is needed to get people together to make things better for all of the lakes. He stated that common sense management is needed to help get things done while waiting for the flow study. Advocates are needed to help their group. The Citizens for Responsible Lake Country Waterway Management does not want to put the burden on LLBMD; their group is willing to help.

Herb Marquardt, N60 W38553 Blackhawk Drive, has lived in his home for 30 years. The years 2004, 2008 and 2010 were three periods when the lake was excessively high. They noticed that since 2008 the lake has stayed higher for a longer period of time and is draining much slower. When Hwy. 67 was built in 2007, a lot of grassy area was eliminated and now sewers go directly into the lake. In addition, more sewers have been added around the lake. Unless something is done with the Oconomowoc River outlet, high water may be seen constantly from May – November. It isn't dropping the way it used to do. He believes there is something happening to the lake. In 2004 and 2010 the water went up to the road and in 2008 went over the road. 2010 has been a dry year or the high water levels would have been worse. At the present time, the lake level appears to be approximately four inches lower than before.

Lisa Conley suggested contacting the University Extension in Waukesha regarding using conflict specialists to help facilitate meetings with the other municipalities and lake districts. Possible grants that may be available for funding the SEWRPC study were also discussed. L. Conley thought some lake planning grants may be available through the State of Wisconsin. Additionally, SEWRPC is aware of various funding methods for projects like this.

As a starting point, D. Falstad thought it would be appropriate to contact SEWRPC and Dale Shaver to see what they think. At some point in time a legal opinion would be necessary to determine responsibility of actions taken.

Kenneth Dragotta, W286 N5980 Blackhawk Drive, stressed that not only does the water upstream need to be examined, but also the water downstream. The Rock River is not able to handle the flow. The amount of flow going into the Rock River is back-feeding into the LLB area as the river is also at flood stage. The entire watershed picture needs to be examined as well as the origination of the flow that feeds into the Rock River. To look at

this as a regional issue would be a mistake; this study should be on a state level. Concern was expressed about the potential cost of the study.

P. Carpenter thought that a comprehensive study done should be explored in addition to obtaining grants for the project. He explained to the members of the Citizens for Responsible Lake Country Waterway Management that the LLBMD Board needed time to digest and discuss this issue. Assistance from the members of the Citizens for Responsible Lake Country Waterway Management group will be necessary as the project moves forward

In response to a question from S. Keefe, N. Eckstaedt explained that their group has spoken to other municipalities including the Town of Oconomowoc Police Chief Wallace, Town of Oconomowoc Chairperson Bob Hultquist, the City of Oconomowoc, the Town of Oconomowoc, the management in the Village of Lac La Belle, and the Village of Oconomowoc Lake. However difficulties have arisen in getting the item on any of their agendas for a formal meeting. S. Keefe thanked the group for organizing in attempt to move this issue forward.

D. Falstad and K. Carr will meet with SEWRPC and Dave Shaver to initiate discussions. D. Falstad stated he thought that on the local municipal level, a good starting point would be having transparent guidelines that the municipalities agree to and work toward. N. Eckstaedt was of the opinion to hire a third party to measure water levels and dam measurements. L. Conley suggested conducting a hydrology study and suggested approaching the lake management districts of Okauchee and North Lakes in addition to the Village of Oconomowoc Lake. Discussion took place on water clarity. L. Conley reported that the water this year was not as clear as past years with some readings showing as little as 4.5'. P. Carpenter will contact Michele Schneider (262-574-2127) at the DNR for additional information on this matter.

10. Website Updates

a. Discuss & Act on Website Designer

This item was deferred to the January 2011 Board meeting.

11. Discuss & Act on City Ice Fishing Contest

Without objection, this item was taken after Item 9.

S. Keefe spoke to Laurel Whalen who is in charge of the Downtown Oconomowoc Merchants Association regarding their January 15th Chili-fest. Discussion took place regarding any interest LLBMD may have to sponsor an ice fishing contest similar to CarpFest in conjunction with that event. D. Falstad thought it would be good to get someone from DNR or Fish & Wildlife to come in and provide education to area residents. It was the consensus to observe the event this year in regards to the weather and activities, and discuss it for 2012. S. Keefe will contact the past chair of the Lac La Belle Fishing Club for additional information.

Without objection, the next agenda item, Item 10, was taken next and then items proceeded as per the agenda.

12. Discuss & Act on Lac La Belle Fishing Regulations

In order to continue to keep the carp population down, L. Conley expressed hope that LLBMD would ask the DNR to remove Lac La Belle from the proposed fishing regulations. If the DNR takes Lac La Belle out before it goes to Conservation Congress, it will be easier.

L. Morgan motioned to send a letter to Sue Beyler at the Wisconsin Department of Natural Resources, asking that Lac La Belle be exempted from the uniform regulations and to keep the current fishing regulations in place in order to keep the carp population in check. D. Falstad seconded the motion. There was no further discussion. All were in favor. Motion carried.

13. Set Next Meeting Date

The next meeting of the Lac La Belle Management District will be held on January 20, 2011 at 7 p.m. at the Town of Oconomowoc Town Hall.

14. Agenda for Next Meeting

Discuss & Act on Website Designer
Discuss & Act on Management of the Oconomowoc River in regards to Lac La Belle
Update on Lac La Belle Planning Grant

15. Adjournment

M. Fitzsimmons moved to adjourn from the meeting. L. Morgan seconded the motion. All were in favor. Motion carried. The meeting adjourned at 8:44 p.m.

Minutes prepared by:

Accurate Business Communications, Inc.